



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/621,092	07/21/2000	Solomon S. Steiner	PDC 116(2)

23579  
ARNALL GOLDEN & GREGORY, LLP  
2800 ONE ATLANTIC CENTER  
1201 WEST PEACHTREE STREET  
ATLANTA, GA 30309-3450

## FORMALITIES LETTER



\*OC000000005390116\*

Date Mailed: 09/11/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

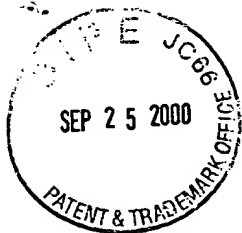
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/27/2000 ETULU1 00000004 09621092

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SECTOR #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Solomon S. Steiner, Robert Feldstein, Per B. Fog, and Trent Poole

Serial No.: 09/621,092

Group Art Unit: Not yet assigned

Filed: July 21, 2000

Examiner: Not yet assigned

For: UNIT DOSE CAPSULES AND DRY POWDER INHALER

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION AND REQUEST FOR REFUND**

Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application, mailed September 11, 2000, applicants enclose the following items for filing in the above-identified application:

1. Declaration of Inventorship executed by Solomon S. Steiner, Robert Feldstein, Per B. Fog, and Trent Poole;
2. Statement Claiming Small Entity Status (37 C.F.R. §§ 1.9(f) and 1.27(c) --- Small Business Concern) executed by Pharmaceutical Discovery Corporation;
3. Statement Under 37 C.F.R. § 3.73(b) executed by Pharmaceutical Discovery Corporation, with attached copy of the executed Assignment from Solomon S. Steiner, Robert Feldstein, Per B. Fog, and Trent Poole to Pharmaceutical Discovery Corporation; and

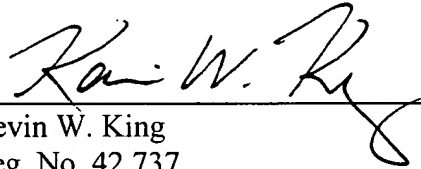
4. Check in the amount of \$65.00 for the small entity surcharge for late filing the Declaration of Inventorship.

Applicants also enclose a copy of the Notice to File Missing Parts of Nonprovisional Application, mailed September 11, 2000.

Applicants respectfully request a 50% refund of the \$1,206.00 filing fee in the application, a total of \$603.00, pursuant to 37 C.F.R. § 1.28.

Please charge any other fees due, or credit any overpayment, in connection with this matter to Deposit Account No. 01-2507. A duplicate of this transmittal is enclosed to facilitate this process.

Respectfully submitted,

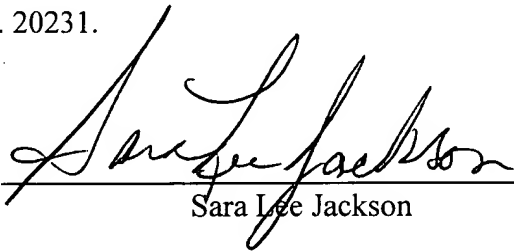
  
\_\_\_\_\_  
Kevin W. King  
Reg. No. 42,737

Date: September 19, 2000

ARNALL GOLDEN & GREGORY, LLP  
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404-873-8596  
404-873-8597 (fax)

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this Response to Notice to File Missing Parts of Nonprovisional Application and Request for Refund, together with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Sara Lee Jackson

Date: September 19, 2000